

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 10 SEP 2004

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Applicant's or agent's file reference 47150	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/IT 03/00344	International filing date (day/month/year) 03.06.2003	Priority date (day/month/year) 07.06.2002
International Patent Classification (IPC) or both national classification and IPC A45B25/22		
Applicant GARDENART S.R.L. et al.		


- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 1 sheets.

3. This report contains Indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 06.12.2003	Date of completion of this report 08.09.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Acerbis, G Telephone No. +49 89 2399-6895



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IT 03/00344**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-6 received on 24.03.2004 with letter of 15.03.2004

Drawings, Sheets

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IT 03/00344**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-6
	No: Claims	
Inventive step (IS)	Yes: Claims	1-6
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IT03/00344

- The prior published documents, cited in the international search report, either taken individually or in combination do not disclose, suggest or reasonably lead the person skilled in the art to consider the use of a rib structure comprising a structural shape and a plurality of saw-tooth engaged therein.

The person skilled in the art would not be able to combine all the features of anyone of the present independent claim and as such arrive at the claimed devices or methods without an inventive activity.

Dependent claims 2 to 6 are dependent on claim 1, and thus all the claims satisfy the requirements of Article 33(2)(3) PCT.

INTERNATIONAL SEARCH REPORT

PCT/IT 03/00344

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A45B25/22

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A45B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 089 244 A (KO CHIN-SUNG) 18 July 2000 (2000-07-18)	1,7
A	figures 3-5	4
X	US 5 865 201 A (LIN CHEN-HSIUNG) 2 February 1999 (1999-02-02)	1,7
X	US 6 173 724 B1 (YOU CHING-CHUAN) 16 January 2001 (2001-01-16)	1,7
A	FR 1 284 022 A (ABRANSON) 9 February 1962 (1962-02-09)	1,7
	figure 4	
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- * & * document member of the same patent family

Date of the actual completion of the international search

10 October 2003

Date of mailing of the international search report

20/10/2003

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INTERNATIONAL SEARCH REPORT

PCT/IT 03/00344

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	DE 196 27 766 C (DINH NGOC VANG) 18 September 1997 (1997-09-18) figure 2 -----	1

INTERNATIONAL SEARCH REPORT

PCT/IT 03/00344

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 6089244	A	18-07-2000	NONE	
US 5865201	A	02-02-1999	DE 29807750 U1	06-08-1998
US 6173724	B1	16-01-2001	NONE	
FR 1284022	A	09-02-1962	NONE	
DE 19627766	C	18-09-1997	DE 19627766 C1	18-09-1997

Replaced by
ART 34 ANDT

- 6 -

CLAIMS

1. Umbrella structure with ribs (12) having a saw-tooth profile on the trailing edges of which are fixed strip portions of the cover, characterized in that each of said ribs consists of a structural shape (32, 132) and of a plurality of saw-tooth components (34) engaged with said structural shape and capable of fixing the strip portions (18) of the cover to it.

2. Structure according to Claim 1, characterized in that said structural shape (32) has a channel (32E) with a narrow slot (32A), and in that each of said saw-tooth components (34) has appendages which can be received in said channel by sliding and fixed therein.

3. Structure according to Claim 1 or 2, characterized in that each saw-tooth component (34) has an insertion base (34A) whose profile is such that it can enter and slide in said channel (32E) and can be fixed there, and an extension (34B) at an angle to the insertion base, to form the surface (34C) for fixing the cover strips (18).

4. Structure according to Claim 2 or 3, characterized in that each of said saw-tooth components (34) has a longitudinal appendage (34G) extending along the whole of the base (34A) for coupling to the structural shape (32).

5. Structure according to preceding claims, characterized in that said structural shape (32) is formed with a strip or transverse partition (32B) - forming the base of said channel (32E) - which is sufficiently thick for the engagement of screws (40) for fixing said saw-tooth components.

6. Structure according to Claims 1 to 4, characterized in that said structural shape (132 - 232) is shaped to receive nuts (142, 242) which can slide in the structural shape but are fixed to it with respect to rotation, enabling said saw-tooth components to be fixed by means of screws (141, 242).